

REMARKS/ARGUMENTS

Claims 33, 36-41, and 44-56 are pending in this application and stand substantively rejected. In this Amendment, claims 33, 36-41, and 44-56 are withdrawn, and new claims 57 and 58 are added. Applicant's representative thanks the Examiner for the courtesies extended during a telephonic interview of September 6, 2007.

Claim Amendments

New claim 57 incorporates elements of claims 44 and 49. New claim 48 incorporates elements of claims 44 and 51. No new matter is introduced.

Objection to Claims

In the previous Amendment, claims 36-41 were inadvertently all numbered as claim 36. This Amendment restores the original numbering. Withdrawal of the objection is requested.

Rejection Under 35 U.S.C. §103

Claims 33, 36-41, and 44-56 were rejected under 35 U.S.C. §103(a) as allegedly obvious over U.S. Patent Publication No. 2001/0029349 to Leschinsky and the corresponding parent, U.S. Patent Application No. 09/165,333. This rejection is traversed. Claims 33, 36-41, and 44-56 are withdrawn.

Claim 57

New independent claim 57 is directed to an apparatus for locally perfusing one or more kidneys. The apparatus includes a catheter having a central lumen and first and second branch conduits. The first and second conduits are coupled with first and second engagement members, respectively. Among other things, the catheter includes a strand of elastic, high strength material embedded in a bifurcation of the first and second branch conduits.

As disclosed in the instant application at, for example, the first full paragraph of page 10, and as shown in Fig. 5B, the strand of elastic, high strength material (55) is adapted to ensure that the first branch conduit and the second branch conduit open outwardly when the bifurcation is pulled in a proximal direction.

Leschinsky does not teach or suggest a catheter having a strand of elastic, high strength material (55) that is adapted to ensure that a first branch conduit and a second branch conduit open outwardly when a bifurcation is pulled in a proximal direction, as presently claimed. Hence, claim 57 is patentable in view of Leschinsky.

Claim 58

New independent claim 58 is directed to an apparatus for locally perfusing one or more kidneys. The apparatus includes a catheter having a central lumen and first and second branch conduits. The first and second conduits are coupled with first and second engagement members, respectively. Among other things, the catheter includes a one-way valve that communicates with the central lumen.

The one-way valve is adapted to open in a first configuration to permit flow along the central lumen in a first direction from the inlet end toward the first outlet port, the second outlet port, or both, and to close in a second configuration to inhibit flow along the central lumen in a second direction from the first outlet port, the second outlet port, or both, toward the inlet end.

As described in the instant application at, for example, the first full paragraph of page 8, the one-way valve can open during systole to permit blood to flow through the central lumen in a proximal direction, and to close during diastole to inhibit blood from flowing through the central lumen in a distal direction. Advantageously, the one-way valve can help to provide and maintain high pressure blood flow to the renal artery. As noted in the instant application at, for example, the first full paragraph of page 4, blood having a higher pressure and higher flow rate delivered to the renal artery can improve renal function and reduce fluid retention, which is desirable in managing congestive heart failure.

Leschinsky does not teach or suggest a catheter having a one-way valve that is adapted to open in a first configuration to permit flow along the central lumen in a first direction from the inlet end toward the first outlet port, the second outlet port, or both, and to close in a second configuration to inhibit flow along the central lumen in a second direction from the first

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outlet port, the second outlet port, or both, toward the inlet end. Hence, claim 58 is patentable in view of Leschinsky.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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